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*BOROUGH OF WASHINGTON, WARREN COUNTY, NEW JERSEY*

*WASHINGTON BOROUGH COUNCIL MINUTES – October 15, 2019*

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The Regular Meeting of the Borough Council of Washington, Warren County, New Jersey was held in the Council Chambers of Borough Hall at 7:00 P.M.

Roll Call: Duchemin, France, Noone, Norris, Higgins.

Also, Present: Matthew Hall, Manager  
Laurie A. Barton Borough Clerk  
Leslie Parikh, Attorney

Absent: Conry and Valle.

Mayor Higgins led everyone in the flag salute.

Mayor Higgins read the following Statement into the Record:

“The requirements of the ‘Open Public Meetings Law, 1975, Chapter 231’ have been satisfied in that adequate notice of this meeting has been published in the Star Gazette and posted on the Bulletin Board of Borough Hall stating the time, place and purpose of the meeting as required by law.”

**COUNCIL APPEARANCE**

Mel Thiel, BID Executive Director, reported on the grand opening of a new business, Full Throttle Cycle Repair. A board meeting of the BID will be held at the firehall on November 7<sup>th</sup>.

Lt. Kaufman, Washington Police, discussed the police departments recent speed complaints in the area of Washington Square Circle and Flower Avenue.

Lieutenant Kaufman gave the police report for the month of September with the amount of calls they received and answered.

Abundant Life-Chaplains, Barbara Colacchia and George Zamlot-presented to Mayor and Council their Community Outreach initiative. They would like to set up a tent and tables to give out non-GMO fruits and vegetables and packaged goods to anyone who wishes to receive. This would be similar to a mobile food pantry for the community.

Hearing no further public input, motion made by Norris and seconded by Noone to close the audience portion.

Ayes: 5 Nays: 0  
Motion Carried.

### **MINUTES**

Motion made by Noone and seconded by Norris to approve the following minutes

1. Regular Meeting minutes: October 1, 2019
2. Executive Session: 01/08/19, 02/19/19,05/07/19,05/21/19,06/18/19,08/13/19,9/03/19 and 9/18/19. **(Proof for content only)**

Ayes: 5 Nays: 0  
Motion Carried.

### **RESOLUTIONS**

Motion made by Noone and seconded by Norris to approve Resolution 2019-149

ROLL CALL: Duchemin, France, Noone, Norris, and Higgins.

Ayes: 5, Nays: 0  
Motion carried.

### **RESOLUTION 2019-149 A RESOLUTION AUTHORIZING CANCELLATION OF GENERAL CAPITAL ORDINANCES BALANCES**

**WHEREAS**, there are open balances in old capital ordinance; and

**WHEREAS**, the projects authorized in those ordinances are completed; and

**WHEREAS**, it is a good practice to cancel old outstanding ordinances; and

**WHEREAS**, cancelled funded amounts will be deposited in the General Capital Fund Balance; and

**WHEREAS**, this ordinance has an anticipated Accounts receivable that exceeds amount actually reimbursed

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Borough of Washington, in the County of Warren, State of New Jersey as follows:

The governing body hereby authorizes cancellation of the outstanding balances in the capital ordinances listed below:

Ordinance #	Description	Amount	Funded	Unfunded
2007-07	Public Works garage Improvements	7,684.76	7,684.76	
2013-04	Various Improvements	8,518.07	8,518.07	
2014-02	Various Improvements	5,081.64	5,081.64	
2018-12	Various Improvement	58,903.86	58,903.86	
<b>TOTAL</b>		<b>80,188.33</b>	<b>80,188.33</b>	

**RESOLUTIONS**

Motion made by Noone and seconded by Norris to approve Resolution 2019-150

ROLL CALL: Duchemin, France, Noone, Norris, and Higgins.

Ayes: 5, Nays: 0  
Motion carried.

**RESOLUTION 2019-150  
A RESOLUTION TO VOID A CHECK**

**WHEREAS**, check #11888 was written 9/19/19 on the Washington Borough's Operating Account in the amount of \$75.00 and made payable to State of New Jersey Division of Taxation and

**WHEREAS**, the Treasurer's office was made aware that this check was returned to the Borough of Washington as the fee was waived for government agencies and

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Washington, in the County of Warren, State of New Jersey hereby authorizes the Treasurer to void aforementioned check.

**ORDINANCES**

Motion made by Norris to approve on first reading Ordinance 2019-27 motion seconded by Duchemin. Public Hearing scheduled for November 12, 2019.

ROLL CALL: Duchemin, France, Noone, Norris and Higgins.

Ayes: 5, Nays: 0  
Motion Carried

**ORDINANCE 2019-27**

**ORDINANCE APPROPRIATING \$80,000.00 FROM THE CAPITAL IMPROVEMENT FUND FOR THE PURCHASE OF THE MASON DUMP TRUCK WITH THE SNOW PLOW AND SPREADER IN AND BY THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY**

**NOW THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF WASHINGTON, IN THE COUNTY OF WARREN, NEW JERSEY AS FOLLOWS:**

Section 1. \$80,000.00 is hereby appropriated from the Capital Improvement Fund of the Borough of WASHINGTON, in the County of WARREN, New Jersey (the “Borough”) for the purchase of the mason dump truck with the snow plower and spreader, and further including all related costs and expenditures incidental thereto.

Section 2. The Borough hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 3. This ordinance shall take effect after final adoption and publication and otherwise as provided by law.

## **VOUCHERS AND CLAIMS**

Motion made by Noone seconded by Duchemin to pay the vouchers and claims in the amount of \$1,804,487.59 from the current fund and \$ 79,635.48 from sewer.

ROLL CALL: Duchemin, France, Noone, Norris and Higgins.

Ayes: 5, Nays: 0

Motion Carried

## **COUNCIL REMARKS**

Councilwoman Duchemin stated that Stigma Free will be at the Hometown Halloween.

Councilman France stated that this is last meeting and thanked everyone for their help and enjoyed being on council even though for a short period. Mr. France discussed his first meeting with Manager Hall and appreciated his time to explain things.

Councilman Norris thanked Councilwomen Conry and Duchemin in their work with for the senior citizens. Thanked France for showing up and being here. Thanked Ms. Theil in her work with the BID. Councilwoman Norris also stated that the Manager and Police are doing a great job.

Mayor Higgins reviewed correspondences receive by Union Township regarding street opening ordinances. The first annual pumpkin drop was discussed with details outlining the festival that the Fire Department is holding. The date is Sunday October 27<sup>th</sup>. The BID will hold in conjunction to the pumpkin drop a tribute to Abbey Road, the 50<sup>th</sup> anniversary of the famous picture with the Beatles. Mayor Higgins thanked France for the kind words.

On a personal note, Mayor Higgins discussed his grandson Jackson who was born blind, due to a genetic disease in which he underwent an experimental procedure. This procedure enabled him to gain his vision. Netflix is coming out with a new show which depicts Jackson's story that followed him and his family for months, this show will be available on Netflix this Friday.

Manager Hall reported on the upcoming paving projects throughout the borough.

Manager Hall discussed repealing the ordinance requiring yard sale permits. It was the consensus of Council to repeal the ordinance. Mayor Higgins asked that it be on the next meeting agenda.

**EXECUTIVE SESSION**

A motion was made by Norris seconded by Noone to approve a resolution authorizing Executive Session for the purpose of discussing contract negotiations.

Ayes: 5 Nays: 0  
Motion Carried.

**RESOLUTION**  
**AUTHORIZING EXECUTIVE SESSION**

**WHEREAS**, the Open Public Meetings Act; *N.J.S.A. 10:4-6 et seq.*, declares it to be the public policy of the State to insure the right of citizens to have adequate advance notice of and the right to attend meetings of public bodies at which business affecting the public is discussed or acted upon; and

**WHEREAS**, the Open Public Meetings Act also recognizes exceptions to the right of the public to attend portions of such meetings; and

**WHEREAS**, the Mayor and Council find it necessary to conduct an executive session closed to the public as permitted by the *N.J.S.A. 40:4-12*; and

**WHEREAS**, the Mayor and Council will reconvene in public session at the conclusion of the executive session;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Washington, County of Warren, State of New Jersey that they will conduct an executive session to discuss the following topic(s) as permitted by *N.J.S.A. 40:4-12*:

\_\_\_\_\_A matter which Federal Law, State Statute or Rule of Court requires be kept confidential or excluded from discussion in public

(Provision relied upon: \_\_\_\_\_);

\_\_\_\_\_A matter where the release of information would impair a right to receive funds from the federal government;

\_\_\_\_\_A matter whose disclosure would constitute an unwarranted invasion of individual privacy;

\_\_\_\_\_A collective bargaining agreement, or the terms and conditions thereof (Specify contract: \_\_\_\_\_);

\_\_\_\_\_A matter involving the purpose, lease or acquisition of real property with public funds, the setting of bank rates or investment of public funds where it could adversely affect the public interest if discussion of such matters were disclosed; Real Estate Acquisitions

\_\_\_\_\_Tactics and techniques utilized in protecting the safety and property of the public provided that their disclosure could impair such protection;

\_\_\_\_\_Investigations of violations or possible violations of the law;

Pending or anticipated litigation or contract negotiation in which the public body is or may become a party; (The general nature of the litigation or contract negotiations is: \_\_\_\_\_ The public disclosure of such information at this time would have a potentially negative impact on the municipality's position in the litigation or negotiation; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.)

\_\_\_\_\_Matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his or her ethical duties as a lawyer; (The general nature of the matter is:\_\_\_

\_\_\_\_\_ OR \_\_\_\_\_ the public disclosure of such information at this time would have a potentially negative impact on the municipality's position with respect to the matter being discussed; therefore this information will be withheld until such time as the matter is concluded or the potential for negative impact no longer exists.);

\_\_\_\_\_Matters involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance, promotion or disciplining of any specific prospective or current public officer or employee of the public body, where all individual employees or appointees whose rights could be adversely affected have not requested in writing that the matter(s) be discussed at a public meeting; (The employee(s) and/or general nature of discussion is: \_\_\_\_\_ the public disclosure of such information at this time would violate the employee(s) privacy rights; therefore this information will be withheld until such time as the matter is concluded or the threat to privacy rights no longer exists.;

\_\_\_\_\_Deliberation occurring after a public hearing that may result in the imposition of a specific civil penalty or loss of a license or permit;

**BE IT FURTHER RESOLVED** that the Mayor and Council hereby declare that their discussion of the subject(s) identified above may be made public at a time when the Borough Attorney advises them that the disclosure of the discussion will not detrimentally affect any right, interest or duty of the Borough or any other entity with respect to said discussion.

**BE IT FURTHER RESOLVED** that the Mayor and Council, for the reasons set forth above, hereby declare that the public is excluded from the portion of the meeting during which the above discussion shall take place.

A motion was made by Noone seconded by Norris to come out of Executive Session at 8:04 pm.

Ayes: 5; Nays: 0  
Motion Carried.

Manager Hall discussed a potential for shared services possibly with the Township regarding a re-evaluation for the Borough.

### **ADJOURNMENT**

Hearing no further business, a motion was made by Norris seconded by Noone to adjourn the meeting at 8:11 pm.

Ayes: 5; Nays: 0  
Motion Carried.

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Mayor David Higgins

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Laurie A. Barton, Borough Clerk